

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

**KCSR'S UNOPPOSED MOTION FOR LEAVE TO EXCEED
THE PAGE LIMIT ON ITS SUGGESTIONS IN OPPOSITION TO
PLAINTIFFS' MOTION FOR CLASS CERTIFICATION**

Defendant The Kansas City Southern Railway Company (“KCSR”) respectfully moves for leave to exceed the page limit on its Suggestions in Opposition to Plaintiffs’ Motion for Class Certification. KCSR requests an additional 20 pages of argument, for a total of 35 pages of argument not counting the factual background, which is excluded from the page limitation pursuant to L.R. 7.0(d)(2). Plaintiffs do not oppose KCSR’s request.

KCSR has good cause to exceed the page limit. On March 14, 2024, Plaintiffs filed their 52-page class certification brief (ECF No. 98), after having first filed their own Motion to Exceed the Page Limit (ECF No. 95), which KCSR likewise did not oppose. In order to fully address all of the various arguments and assertions in Plaintiffs' brief, KCSR needs additional space in its own brief. KCSR believes that this additional content will aid the Court in making its class certification decision. For all of these reasons, KCSR respectfully requests that the Court grant this unopposed motion and authorize KCSR to include up to 35 pages of argument in its Suggestions in Opposition to Plaintiffs' Motion for Class Certification.

Dated: April 23, 2024

Respectfully submitted,

/s/ Thomas R. Chiavetta

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CERTIFICATE OF SERVICE

I hereby certify that on April 23, 2024, a true and accurate copy of the foregoing was filed using the CM/ECF system which will send notification of such filing to the Court and Plaintiffs' counsel.

/s/ Thomas R. Chiavetta

Thomas R. Chiavetta